

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**WSOU INVESTMENTS, LLC
d/b/aBRAZOS LICENSING
AND DEVELOPMENT,**

Plaintiff,

v.

**DELL TECHNOLOGIES INC.,
DELL INC., EMC CORPORATION,
and VMWARE, INC.**

Defendant.

§ **CIVIL ACTION NO. 6:20-CV-00473-ADA**
§ **CIVIL ACTION NO. 6:20-CV-00475-ADA**
§ **CIVIL ACTION NO. 6:20-CV-00476-ADA**
§ **CIVIL ACTION NO. 6:20-CV-00477-ADA**
§ **CIVIL ACTION NO. 6:20-CV-00480-ADA**
§ **CIVIL ACTION NO. 6:20-CV-00481-ADA**
§ **CIVIL ACTION NO. 6:20-CV-00482-ADA**
§ **CIVIL ACTION NO. 6:20-CV-00485-ADA**
§ **CIVIL ACTION NO. 6:20-CV-00486-ADA**
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JURY TRIAL DEMANDED

ORDER REGARDING DISCOVERY DISPUTES

This Court, having considered disputes raised by Plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development (“Plaintiff”) and Defendants Dell Technologies Inc., Dell Inc., EMC Corporation, and VMWare, Inc. (collectively, “Defendants”) during the March 11, 2022, Discovery Hearing, hereby ORDERS the following:

1. Defendants’ request to compel documents regarding Plaintiff’s offers to sell or license the patents-in-suit, including pre-suit offers to license or sell the patents-in-suit by third-party AQUA, is DENIED;

2. Defendants’ request to compel Plaintiff to provide a privilege log is DENIED. Defendants’ request to compel Plaintiff to log any pre-suit investigation, or other infringement or technical analysis is DENIED. Neither party is required to search or log emails or email attachments, including, with respect to Plaintiff, emails and email attachments regarding any pre-suit investigation, or other infringement or technical analysis;

3. Plaintiff's request to compel Defendants to produce source code for all functions listed in the submitted dispute chart and referenced in the produced source code for U.S. Patent Nos. 7,443,888 (6:20-cv-00475-ADA), 9,164,800 (6:20-cv-00481-ADA) and 7,092,360 (6:20-cv-00486-ADA) is GRANTED.

4. Plaintiff's request to compel Defendants to produce source code on products accused of infringing U.S. Patent Nos. 9,137,144 (6:20-cv-00473-ADA), 7,565,435 (6:20-cv-00476-ADA) and 7,424,020 (6:20-cv-00482-ADA) is DENIED.

5. Plaintiff's request for relief from the stipulated schedule to serve subpoenas on third-party chipmakers to produce source code on products accused of infringing U.S. Patent Nos. 9,137,144 (6:20-cv-00473-ADA), 7,565,435 (6:20-cv-00476-ADA) and 7,424,020 (6:20-cv-00482-ADA) is GRANTED.

Signed this 21st day of March, 2022.


HON. ALAN D'ALBRIGHT
UNITED STATES DISTRICT JUDGE